

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Raymond A. Jolly,

Civil No. 08-920 (RHK/FLN)

Petitioner,

ORDER

v.

Department of Corrections Stillwater,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated April 14, 2008, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS ORDERED:

1. The Report and Recommendation (Doc. No. 3) is **ADOPTED**;
2. Petitioner's application for a writ of habeas corpus (Doc. No.1) is summarily

DENIED; and

3. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: May 12, 2008

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge